

REMARKS

This is responsive to the final Office Action dated August 9, 2005. By this response, claims 1, 7 and 8 are amended. No new matter is introduced. Claim 4 was previously cancelled without prejudice and claim 5 was withdrawn from examination. Claims 1-3 and 6-8 are now active for examination. A petition for a one-month extension of time and a Request for Continued Examination are submitted concurrently herewith.

The Office Action rejected claims 1-4 and 6-8 under 35 U.S.C. §102(b) as being anticipated by the United Kingdom patent '672 (GB 2,345,672, hereafter "GB'672"). The rejection is respectfully overcome in view of the amendment and/or remarks presented herein.

Claim 1, as amended, describes a vehicle air conditioning system comprising an air conditioning unit for generating air-conditioned air. The air conditioning unit is provided with a ventilation opening and a defroster opening. A ventilation duct is connected to the air conditioning unit at the ventilation opening, which conducts the air-conditioned air to a ventilation outlet. The defroster duct is connected to the air conditioning unit at the defroster opening, and conducts the air-conditioned air to a defroster outlet. An additional duct branches off from the defroster duct. This additional duct conducts the air-conditioned air from the defroster duct to an upper ventilation outlet which is provided on an upper surface of an instrument panel to blow the air-conditioned air toward the upper rear of a passenger compartment, only when any one of a ventilation mode, a bi-level mode, and a foot mode is selected. Appropriate support for the amendment can be found in, for example, page 7, lines 16-25 of the specification.

According to one embodiment, an additional duct 18 branching off from a defroster duct 16 conducts air-conditioned air to an upper ventilation outlet 18a only when any one of a

ventilation mode, a bi-level mode, and a foot mode is selected. It is apparent that GB'672 fails to identically disclose each and every element of claim 1, and therefore the anticipation rejection should be reconsidered and withdrawn.

GB'672 describes a ventilation device for vehicles that has an air conditioning box 20 with an air distributor. Two air supply ducts 18 and 19 are respectively connected to the air conditioning box 20. The air supply duct 18 provides strongly heated-up air to the air exit openings 15 in the front row in the vicinity of windscreen 11, to ensure that even a particularly large wind screen 11 is free from misting. In contrast, the air supply duct 19 is charged with air that is warmed up under conditions of comfort and flows via the air exit openings 15, disposed closer to the passengers, in the rear row into the vehicle space above the dashboard 14 where it passes into the region around the passengers' heads. The exit openings 15 are arranged in two rows and directed parallel to each other. Two separate air flows originate from the exit openings 15 form a dynamic negative pressure zone therebetween, which is combined to form a narrow flow against the windscreen 11. Apparently, all the exit openings 15 work as defroster outlets. Therefore, GB'672 does not describe an additional duct that conducts the air-conditioned air from the defroster duct to an upper ventilation outlet which is provided on an upper surface of an instrument panel to blow the air-conditioned air toward the upper rear of a passenger compartment, as described in claim 1.

Even assuming that the duct leading to the exit opening 15 in the front row (left exit opening 15 shown in Fig. 1) is a defroster duct, and the duct leading to the exit opening 15 in the rear row (exit opening 15 on the right of Fig. 6) is an additional duct branching off from the purported defroster duct, both ducts are open during operations. Therefore, the heated air supplied from the duct 18 is blown through both ducts at all times. GB'672, however, does not

provide different distribution modes, such as a ventilation mode, a bi-level mode, and a foot mode, as described in claim 1.

Since GB'672 fails to disclose every limitation of claim 1, GB'672 cannot support a prima facie case of anticipation. Thus, the anticipation rejection is untenable and should be withdrawn. Favorable reconsideration of claim 1 is respectfully requested.

Claims 2, 3 and 6 depend on claim 1 and incorporate very limitation thereof. Accordingly, claims 2, 3 and 6 also are patentable over GB'672 by virtue of their dependencies from claim 1. Favorable reconsideration of claims 2, 3 and 6 is respectfully requested.

Claim 7, as amended, describes a vehicle air conditioning system comprising an air conditioning unit for generating air-conditioned air, and first and second ducts connected to the air conditioning unit. The first duct conducts the air-conditioned air to a ventilation outlet. The second duct conducts the air-conditioned air to a defroster outlet. A third duct is provided to branch off from the second duct, which conducts the air-conditioned air to one of an upper ventilation outlet provided on an upper surface of an instrument panel to blow the air-conditioned air toward the upper rear of a passenger compartment and a rear ventilation outlet provided near a vehicle rear seat. Additionally, a damper is provided to selectively open the second duct or the third duct. Appropriate support can be found in, for instance, Figs. 1 and 5 and related descriptions in the specification. For example, a damper 23, 53 selectively opens a defroster duct 16 or an additional duct 18, 25.

As discussed earlier, GB'672 does not disclose a third duct branching off from the second duct, which conducts the air-conditioned air to one of an upper ventilation outlet provided on an upper surface of an instrument panel to blow the air-conditioned air toward the upper rear of a passenger compartment and a rear ventilation outlet provided near a vehicle rear seat, as

described in claim 7. Additionally, GB'672 also fails to teach a damper configured to selectively open the second duct or the third duct, as described in claim 7.

Since GB'672 fails to disclose every limitation of claim 7, GB'672 cannot support a prima facie case of anticipation. The anticipation rejection is untenable and should be withdrawn. Favorable reconsideration of claim 7 is respectfully requested.

Claim 8, as amended, describes a vehicle air conditioning system comprising an air conditioning unit for generating air-conditioned air, a first path for conducting the air-conditioned air from the air conditioning unit to a ventilation outlet, and a second path for conducting the air-conditioned air from the air conditioning unit to a defroster outlet to blow the air-conditioned air toward a windshield. A third path branching off from the second path is provided to conduct the air-conditioned air to an additional outlet when blowing the air-conditioned air from the defroster outlet is stopped. Appropriate support for the amendment can be found in, for instance, Fig. 4 and page 9, line 20 through page 14, line 17 of the written description.

According to an embodiment of the invention, an additional path 26, 55 branching from a defroster path 25 conducts air-conditioned air to an additional outlet 18a, 52a when blowing the air-conditioned air from defroster outlet 16a is stopped.

Though GB'672 describes a ventilation device, GB'672 does not specifically disclose a third path branching off from the second path to conduct the air-conditioned air to an additional outlet when blowing the air-conditioned air from the defroster outlet is stopped, as described in claim 8.

Serial No.: 10/612,931

Since GB'672 fails to disclose every limitation of claim 8, GB'672 cannot support a prima facie case of anticipation. The anticipation rejection is untenable and should be withdrawn. Favorable reconsideration of claim 8 is respectfully requested.

CONCLUSION

For the reasons give above, Applicants believe that this application is in condition for allowance and Applicants request that the Examiner give the application favorable consideration and permit it to issue as a patent. However, if the Examiner believes that the application can be put in even better condition for allowance, the Examiner is invited to contact Applicants' representatives listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to **Deposit Account 500417** and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Wei-Chen Nicholas Chen
Registration Number 56.665

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 WNC/kaf
Facsimile: 202.756.8087
Date: December 2, 2005

**Please recognize our Customer No. 20277
as our correspondence address.**